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#### OFFICER INVOLVED SHOOTING FORM

NARRATIVE SUMMARY

DEPUTIES INVOLVED

HARRIS, Robert Deputy #

**SWORN WITNESS** 

None

CIVILIAN WITNESS

FW/ MW/69

FH/

#### **EXHIBITS A THROUGH B**

- A Los Angeles Police Department Investigative Book under DR#05-1100523.
- B Photographs of Scene

#### MISCELLANEOUS DOCUMENTS

Deputy Robert Harris' shooting records.

Deputy Robert Harris' Personnel Performance Index.

Admonishment Rights Form for Deputy Robert Harris.

Chief's Memorandum.

# Los Ageles County Sheriff's Depotment Officer Involved Shooting

Page 1 of 4

									W <del>S</del> III)
Report Date:	05-16-0	Bureau/S	tation/Facility:	Homic	ide Bure	au	Admin. In	vest.?	Hit?
				Incident Informa	ation				
URN:	DR#	05-1100523	200000000000000000000000000000000000000	Date:	01-13	3-05	٦	Tme:	2130
City or Station:		Los Angeles		Nature of Incident:	Deputy	Involved N	Ion-Hit Sho	ooting - C	Off Duty
Location: AV	enue 56,	Los Angeles							
Location Type (circle one or more Backyard Beach Business Freeway Industrial Park Parking Lot Residence Rural School Street Other:	):	Darkness Daylight Other Street Lights  Weather (circle on Clear) Cloudy Fog Rein  Distance: 30 Ft. & 6	ly one): 225 Ft.	Incident Type (circal Accidental Armed Person Fleeing Suspect Foot Pursuit Gun Take Away Moving Vehicle Sniper/Ambush Startle Struggle Involved Traffic Stop Unarmed Person Unintentional Vehicle Pursuit Warrant Service	ı	ore);	Arres Call Obse One Othe Sea Two Prior Det	rch Warrant Person Unit	le only one):
Total # of Shots Fire	d by Deputy	Total # of Shots Fin	d by Suspect	Warning Shot			Aero	Unit?	Canine Unit?
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Employee #	Last N	lame	First	Name	M.L.	ShiftTime (cli	rcie only one):		(circle only one): Overtime Off Duty
Employee #	Last N	lame	First	Name	M.I.	ShiftTime (cl	M Day role only one): M Day		(circle only one): Overtime Off Duty
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Street Address			City		Zip C	ode	Wor	k Ph	Home Ph
Last Name					First	Name			M.I.
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		Company of the State of the Sta		Supervisors	5	100			0.3
Employee#	Last Name	N/A	First N	lame	MJ	On Duty			Vitness to shooting
Employee #	Last Name	N/A	First N	lame	M.I	(circle one On Duty	or more):	W	fitness to shooting avolved in shooting
		and the second s		Watch Serge					
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Employee #	Last No	те	and the first and a second			First Name	and the second of the second s	CONTRACTOR STATE	M.I.
			N/A						

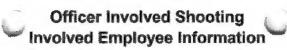
	PSTD Use Only	
SH#	2137031	

Arrival Date		Arrival Time	502m202m302m202m302m	Date Submitted		Date of Recommendation	-	
	01-13-05		2330	2 2 2 2	05-16-05			
Employee#	Last Name	Morejon			First NamÆli	er	M.i	
Employee #	Last Name	Hines		-	First Nama/VI	lliam	M.I	L.
Employee #	Last Name	Lee			First NamSta	асу	MJ	L.

	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -			Shoot	ing / Force Informa	tion			
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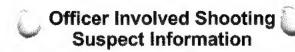
Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
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							=	
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	DR #05-1100523
URN:	DIV#03-1100323

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				Involved Employee		
1	Employee #	Last Name Harris			First Name Röbert	M.I.
	Sex: Rece: W	Rank Detective	3	Unit Assignment: Homicide	Work Assignment (Unit	#, Module, etc.):
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	Field Training Officer Emp #	Last Name			First Name	M.I.
	Field Training Officer Emp #	Last Name			First Name	M.I.
	Employee #	Last Name			First Name	M.I.
	Sex; Race:	Rank		Unit Assignment:	Work Assignment (Unit	#, Module, etc.):
	ShiftTime (circle only one): EM PM Day	ShiftType (circle only one): Regular Overtime O	T Duty	Intoxication/Drug Usage?	Substance Used:	
	Hospital Admission?	Hospital Name:		Coroner Case?	Coroner Case #	Interviewed?
	Hrs of sleep prior to shooting: Age: Height:	Duty Time (hrs): Weight:	Plain ( Plain ( Raid J	(circle only one): Clothes no Vest Clothes w/ Vest Uniform no Vest lacket no Vest Uniform w/ Vest	Other Factors:	
	Range Qualification Date:		PPC Q	usilfication Date:	Laser Training	Date:
	Certified with Weapon Used?	Patrol Certification	on?	Certification Unit:	Prior Shootings?	Number of Prior Shootings:
	Field Training Officer Emp#	Last Name			First Name	M.J.
	Field Training Officer Emp#	Last Name			First Name	M.I.
_	Employee#	Last Name		Since the second se	First Name	M.I.
	Sex: Race:	Rank		Unit Assignment:	Work Assignment (Unit	#, Module, etc.):
	ShiftTime (circle only one): EM PM Day	ShiftType (circle only one): Regular Overtime C	Off Duty	Intoxication/Drug Usage?	Substance Used:	
	Hospital Admission?	Hospital Name:		Coroner Case?	Coroner Case #	Interviewed?
	Hrs of sleep prior to shooting:	Duty Time (hrs):	Plain	(circle only one): Clothes no Vest Raid Jacket w/ Vest	Other Factors:	
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	Range Qualification Date:		PPC Q	ualification Date:	Laser Training	Date:
	Certified with Weapon Used	Patrol Certificati	on?	Certification Unit:	Prior Shootings?	Number of Prior Shootings:
	Field Training Officer Emp#	Last Name		Section 12	First Name	M.L.
	Field Training Officer Emp#	Last Name			First Name	M.I.





DR #05-1100523

eage 4 of 4

	30.5 M		2012bect	Information		
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	AKA Last Name			First Name	M	l.ł.
	Sex; M Race: H	Street Address:	State & Zip C	ode:		
	Work Phone:	Home Phone:	Social Sec	curity #:	Driver's License #:	
	Age: D.O.B.	Height: Weight:	FBI#		CII#	
	Booking # Primary Charge:			Secondary Charge:		
	Coroner Case?	Coroner Case #		Intoxication/Drug Usage?	Substance Used:	
	Armed?	Apprehended?		Mental Illness?	Criminal History?	
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# INVESTIGATIVE SUMMARY DEPUTY INVOLVED NON-HIT SHOOTING IAB SH - 2137031 DR - 05-1100523

On Thursday, January 13, 2005, at approximately 2120 hours, Sergeants Elier Morejon and William Hines along with Lieutenant Stacy Lee of the Internal Affairs Bureau responded to South Avenue 56, Los Angeles, regarding a Deputy Involved Non- Hit Shooting involving Homicide Bureau Deputy Robert Harris.

The summary of this incident is based on information obtained from written reports and interviews of the involved employee and witnesses. Refer to Exhibit A - L.A.P.D. Investigative Book

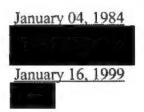
#### INVOLVED PERSONNEL:

HARRIS, Robert, Deputy, # Homicide Bureau
Detective Division

#### EMPLOYEE WORK HISTORY:

#### HARRIS, Robert

Date of Employment:
Date assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:



#### SUSPECT:

Unidentified Hispanic male. Remains outstanding.

#### **SWORN WITNESSES:**

None

#### **CIVILIAN WITNESSES:**



#### **INJURIES:**

None

#### PHYSICAL EVIDENCE:

Five expended shell casing fired from Deputy Harris' off duty weapon were recovered at the scene. Miscellaneous broken glass fragments recovered from Avenue 56, believed to belong to the suspects vehicle. Refer to Exhibit B - Photographs of the scene.

#### INVESTIGATOR OBSERVATIONS:

The location of the shooting was a residential street with single story residences on both sides. Avenue 56 is a standard asphalt residential street which runs north and south. Refer to Exhibit B-Photographs of the scene.

#### WEAPONS USED BY DEPUTY PERSONNEL:

Heckler & Koch, Model USP, Semi-automatic pistol, .45 Caliber, Serial number

The weapon was examined, test fired, and found to be functional by Firearms Examiner (LAPD) Refer to Exhibit B - Firearms Examiner Report

#### WEAPONS USED BY SUSPECTS:

Unknown handgun, possibly a revolver.

#### **PROPERTY DAMAGE:**

One of Deputy Harris' rounds struck an unoccupied brick building at Figueroa Street. The round was recovered and held by LAPD. A second round was found on Avenue 56 with the shattered glass from the suspects vehicle. The remaining four rounds were unaccounted. Refer to Exhibit B - Photographs of the scene.

#### CRIMINAL INVESTIGATOR/CHARGES FILED:

Los Angeles Police Department, Force Investigation Division, Criminal Section responded and assumed the handle on the shooting. They wrote an Assault with a Deadly Weapon report naming Deputy Harris, his and two additional people as victims. At the time of this report the suspect was not in custody.

#### LIGHTING AND WEATHER CONDITIONS:

This incident occurred during the night. The street was illuminated by several street lights. The weather was cool and clear.

#### INVOLVED EMPLOYEE'S STATEMENTS:

#### DEPUTY ROBERT HARRIS

On January 13, 2005, Deputy Harris was interviewed by Detective Los Angeles Police Department, Internal Affairs Investigators, William Hines and Elier Morejon, participated in the interview. Deputy Harris agreed to be interviewed by Internal Affairs Investigators without an attorney present. Additionally, the interview was audio taped and summarized as follows:

Deputy Harris said that he and his drove to South Avenue 56 to visit a friend,
Deputy Harris said that they had just purchased a "Puppy" and went to the location in order
to show it to Mr. Deputy Harris said that while standing on the east sidewalk of Avenue
56 conversing with Mr. he looked north and saw a late 80's early 90's silver or blue square
compact vehicle drive south past his location and towards Echo Street. Deputy Harris said he
noticed that the vehicle's exhaust was modified and that the driver (Male Hispanic, 20-30, dark
complexion, wearing a blue baseball cap) was the only person in the vehicle. Deputy Harris said
that the vehicle continued south on Avenue 56 and it made a right turn onto Echo Street.

Deputy Harris continued his conversation with Mr. and his Deputy Harris said that moments later he heard two distinct gunshots from the direction where he had last seen the vehicle make the right turn onto Echo Street. Deputy Harris said that he also saw luminous lighting from what he believed were the gunshots. (He described it as the muzzle flashes from the gun) Seconds later, Deputy Harris saw the same vehicle that had passed him earlier, making a left turn onto Avenue 56 from Echo Street heading towards his direction. Deputy Harris said he saw two

individuals, later identified as Witness' and	walk off of the west si	dewalk onto Avenue
56 and start walking towards him. He heard one of	of the two ask if they had	heard the gunshots.
Deputy Harris said that he immediately turned tow	ards his and Mr.	and told them to
get down and take cover behind his car, which was p	parked on the east side of the	e street facing north.

Deputy Harris said that knowing the area he was in was a gang neighborhood known as the "Avenues" he felt that the vehicle had possibly just been involved in a drive by shooting or some other crime. Fearing for the safety of his and friend as well as his, Deputy Harris removed his weapon from his waist and held it at his side, while also taking cover behind his vehicle. Deputy Harris said he made sure that the suspect did not see his gun because he did not want a confrontation with him. Deputy Harris saw the vehicle drive up and stop directly next to his car. The driver looked directly at Deputy Harris and then turned and looked at Witnesses and were just west of the suspect car. The suspect, with his right hand, pointed what Deputy Harris described as a revolver at Witnesses and and fired several rounds at them. Deputy Harris said he was unaware at the time if Witnesses and had been hit by the gunfire. Deputy Harris said he stood up directly behind the passenger door of his car, still taking cover, and pointed his gun towards the suspect. The suspect turned towards Deputy Harris and again made eye contact with him as he started to drive away. The suspect drove about thirty feet and stopped his car, turned to his left, pointed the revolver out the drivers window towards Deputy Harris, his and Mr. and fired one shot. Deputy Harris said that at this time he was in fear of his life and of those around him so he fired four shots at the suspect.

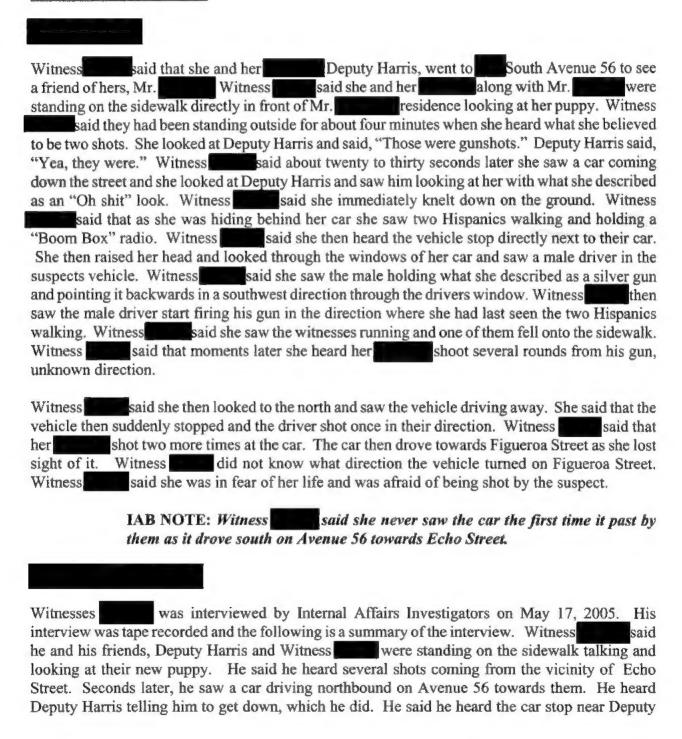
The suspect vehicle drove northbound again for about another seventy five yards and again came to a stop. The suspect leaned his body out the drivers window, pointed the revolver towards Deputy Harris again and fired one more round. Again, Deputy Harris in fear of his life and those around him, fired two more rounds at the suspect. Deputy Harris said he believes that he struck the suspect's vehicle rear window as he saw it shatter after he shot. Suspects vehicle drove north on Avenue 56 and made a right turn onto Figueroa Street and out of view. Deputy Harris said he immediately called "911" via his cell phone. Deputy Harris said he never identified himself as a Deputy Sheriff nor was he wearing anything that would indicate to anyone that he was a deputy. Deputy Harris said that he did not shoot at the suspect when he fired upon Witnesses and because he did not want to draw the suspect attention towards his and friend.

IAB NOTE: Shattered glass from the suspect vehicle was found at the location along with a slug from Deputy Harris' handgun. The distances between Deputy Harris and the suspect during the shooting were approximately, 30 feet the first time and 225 feet the second time.

IAB NOTE: Deputy Harris said that when he shot at the suspect the first time, his backdrop was a closed business. During the second set of rounds was also a closed business. Deputy Harris said there were no other cars driving or any pedestrians walking.

IAB NOTE: Deputy Harris fired a total of six rounds from his gun but only five casings were found at the scene. No casings from the suspects gun were found nor were any strikes from the rounds located.

#### **CIVILIAN WITNESSES:**



Harris' vehicle, he looked through Deputy Harris' vehicle and saw a silhouette of a person sitting in the drivers seat of the suspect vehicle. He said he then saw two muzzle flashes which illuminated the interior of the vehicle allowing him to see a handgun (nfd). He said he immediately went back down to the ground, as he heard the car drive forward. Seconds later, Witness said he heard additional shots being fired, Deputy Harris being one of the people firing. Witness said he got up and ran across the street because he was in fear of his life and of his friends "and who were in the middle of the street. Witness said he did not see which direction the vehicle left after the shooting. He spoke to his friend who told him that he tripped on the sidewalk as he ran from the shots. Stold Witness that if Deputy Harris had not been there, he believed that the suspect would have got out of the vehicle, chased him down and shot him and his He said he was really thankful for Deputy Harris and the action he took.
CCS de , 1) se and company
Witnesses and were both interviewed by Los Angeles Police Department Detectives. Both witnesses essentially gave the same story. They said they were walking on the sidewalk directly in front of Avenue 56, when they heard two to three gunshots coming from the corner of Echo Street and Avenue 56. Immediately following the gunshots they saw a vehicle turn from Echo Street north onto Avenue 56. They started to cross the street as the vehicle passed them, but suddenly the vehicle stopped and the driver turned towards them with a gun in his hand. They started to run westbound towards the sidewalk and as they ran they heard two to three gunshots behind them. Witness said as he ran onto the sidewalk he tripped and fell. They said they left the area and did not see anything else.
IAB NOTE: Witnesses and and were approximately 30 feet from the suspect as he fired at them.
MICCELL ANEOLIC.

#### **MISCELLANEOUS:**

Los Angeles Police Department Force Investigation Team under the direction of Lieutenant conducted the criminal investigation. During the investigation they located an additional victim of a drive-by shooting committed by the outstanding suspect on Echo Street. No one at the scene was located who might have possibly known the suspect.

### COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

DATE:

August 25, 2005

OFFICE CORRESPONDENCE

FILE:

FROM:

JOHNNY G. JURADO, COMMANDER **LEADERSHIP & TRAINING DIVISION** 

TO: RAY H. PEAVY, CAPTAIN

HOMICIDE BUREAU

SUBJECT:

**EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS** 

NON-HIT SHOOTING, JANUARY 13, 2005, REVIEW #2137031

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on January 13, 2005.

The Committee met on August 25, 2005 and consisted of myself and Commanders Kenneth Brazile (Commander of the Department) and Robert Binkley (FOR III. The Committee determined the use of force by Deputy Harris # was within Department policy.

Please advise the deputy of this finding.

JGJ:MAH:mh